

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

-V-

IVANJOEL ARYEETAY,

Defendant.

23 Cr. 561 (JPC)

ORDER

JOHN P. CRONAN, United States District Judge:

Attached to this Order is the Court's current draft of *voir dire* questions for prospective jurors. The parties should be prepared to address any objections to the proposed questions at the final pretrial conference scheduled for October 23, 2024, at 10:00 a.m.

SO ORDERED.

Dated: October 21, 2024  
New York, New York

*T. P. C.*

JOHN P. CRONAN  
United States District Judge

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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,	:	
	:	
-v-	:	23 Cr. 561 (JPC)
	:	
IVANJOEL ARYEETAY,	:	<b>VOIR DIRE FORM</b>
	:	
Defendant.	:	
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JOHN P. CRONAN, United States District Judge:

This is a criminal case against Ivanjoel Aryeetey, who is the defendant. Mr. Aryeetey has been charged with committing a federal crime in an Indictment returned by a grand jury sitting in this District. The Indictment itself is not evidence. It simply contains the charge that the Government is required to prove beyond a reasonable doubt. There is one charge, or “count,” contained in the Indictment. That count charges Mr. Aryeetey with knowingly possessing a firearm, with that firearm in or affecting interstate commerce, knowing that he had been previously convicted of a crime punishable by imprisonment for a term exceeding one year.

Mr. Aryeetey has entered a not guilty plea as to the charges. He is presumed innocent. The United States has the burden to prove beyond a reasonable doubt that Mr. Aryeetey is guilty of the charge.

### **Questions for Potential Jurors**

Please indicate if your answer to any of the following questions is “yes.” If you would prefer not to give your answer in open court, please say so.

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**Part 1: General Juror Questionnaire**

1. Do you have any personal knowledge of the charge against Mr. Aryeetey as I have described that charge?
2. Have you seen or read anything about this case?
3. Is there anything about the nature of this case that would cause you to be unable to render a fair and impartial verdict?
4. Have you formed an opinion that the charge, as I have described it, should not be a crime?
5. Have you, or to your knowledge has a family member or close friend, had any personal experiences that you feel might make it difficult for you to be fair and impartial in this case?
6. I am now going to introduce you to the parties and their lawyers. As I just told you, the defendant in this case is named Ivanjoel Aryeetey. I ask Mr. Aryeetey to stand and turn around. Do you, or to your knowledge does a family member or close friend, know Mr. Aryeetey or anyone close to him?
7. Mr. Aryeetey is represented at this trial by Martin S. Bell, Andrew W. Marrero, and Kate Rogers of the law firm Simpson Thacher & Bartlett, LLP. I ask Mr. Bell, Mr. Marrero, and Ms. Rogers to stand, turn around. Do you, or to your knowledge does a family member or a close friend, know Mr. Bell, Mr. Marrero, and Ms. Rogers, or anyone at their law firm Simpson Thacher?
  - a. Have you, or to your knowledge has a family member or close friend, had any dealings, either directly or indirectly, with Mr. Bell, Mr. Marrero, or Ms. Rogers?
  - b. Have you, or to your knowledge has any family member or close friend, had any dealings, either directly or indirectly, with the law firm Simpson Thacher & Bartlett?
  - c. Have you, either through any experience or what you have seen or read, developed any

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bias or prejudice or other feelings for or against Simpson Thacher & Bartlett or criminal defense lawyers generally?

8. The Government is represented here by the United States Attorney for the Southern District of New York, who is Damian Williams. The conduct of this trial will be in the immediate charge of Assistant United States Attorneys William Stone and Sam Adelsberg. They will be assisted and joined at counsel table by Samantha Roberts, who is a paralegal with the U.S. Attorney's Office. Also joining them at counsel table will be Task Force Officer Walter Mikowski of the United States Attorney's Office for the Southern District of New York. I ask Mr. Stone, Mr. Adelsberg, Ms. Roberts, and Officer Mikowski to all stand. Do you, or to your knowledge does any family member or close friend, know any of these individuals?
  - a. Have you, or to your knowledge has any family member or close friend, had any dealings, either directly or indirectly, with any of these individuals?
  - b. Have you, or to your knowledge has any family member or close friend, had any dealings, either directly or indirectly, with the United States Attorney's Office?
  - c. Have you, or to your knowledge has any family member or close friend, had any dealings, either directly or indirectly, with the New York City Police Department, which is often called the "NYPD", that would affect your ability to render an impartial judgment in this case?
  - d. Have you, either through any experience or what you have seen or read, developed any bias or prejudice or other feelings for or against prosecutors generally?
9. Exhibit A, found at the back of this document, has a list of people who may be mentioned at trial or who may be witnesses at trial, and a list of locations and businesses that may be mentioned during trial. I will read that list now.

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- a. Have you, or to your knowledge has any family member or close friend, had dealings with any of the people listed?
  - b. Have you ever visited any of the listed locations?
  - c. Have you ever visited any of the listed businesses?
  - d. Do you otherwise have any personal knowledge or familiarity with any of the listed people, locations, and businesses?
10. During trial, I will be assisted by members of the Court's staff, including the Courtroom Deputy, Meghan Henrich, and my law clerks, Ian Berkelaar and Michael McCue. I ask any of those individuals who are currently in the courtroom to stand. Do you, or to your knowledge does any family member or close friend, know Ms. Henrich, Mr. Berkelaar, Mr. McCue, or me?
11. Please look around the room. Do you recognize anyone in the courtroom?
12. Are you, or to your knowledge is any family member or close friend, currently serving or have you or they previously served in the capacity of a law enforcement officer or in a prosecutor's office?
13. Do you, or to your knowledge does any family member or close friend, have any association with the New York City Office of Chief Medical Examiner, which is also called the "OCME"?
14. Have you, or to your knowledge has any family member or close friend, ever been party to any legal action or dispute with the United States, or with any of the officers, departments, agencies, or employees of the United States, including the Internal Revenue Service?
  - a. Have you had any legal, financial, or other interest in any such legal action or dispute, or its outcome?
15. The alleged crime concerns the possession of a firearm. Do you have policy views regarding firearms that would make it difficult for you to follow my instructions on the law and to base

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your verdict solely on the evidence in this case?

16. Have you ever lobbied, petitioned, or worked in any other manner for or against any laws or regulations relating to firearms?
17. Do you have any opinions concerning guns, including about the federal government's ability to regulate firearms, that would affect your ability to render a fair and impartial verdict?
18. Have you, or to your knowledge has any family member or close friend, ever been involved in a criminal or civil case involving a firearm or ammunition?
19. Have you, or to your knowledge has any family member or close friend, ever owned a firearm or ammunition? If so, for what reason?
20. Have you, or to your knowledge has any family member or close friend, ever been a victim of gun violence?
21. Have you, or to your knowledge has any family member or close friend, otherwise ever been a victim of a crime?
22. Have you, or to your knowledge has any family member or close friend, ever been arrested, stopped, or questioned by a law enforcement officer?
23. Have you, or to your knowledge has any family member or close friend, ever been involved in or appeared as a witness in any investigation by a federal or state grand jury, or by a Congressional or state legislative committee, licensing authority, or governmental agency?
24. Have you, or to your knowledge has any family member or close friend, ever been charged with, indicted for, accused of, or convicted of a crime?
25. To your knowledge, have you, or has any family member or close friend, been the subject of a criminal investigation, or testified before a state or federal grand jury?
26. To your knowledge, are you currently under subpoena or about to be subpoenaed in a federal

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case?

27. Do you have any feelings regarding the criminal justice system in this country, including but not limited to your feelings about judges, lawyers, or law enforcement officers, that might make it difficult for you to be a fair and impartial juror in this case?
28. Do you have any religious, philosophical, or other beliefs that would make you unable to render a verdict for reasons unrelated to the law and the evidence?
29. Do you have any biases or prejudices that would affect your ability to serve as a fair and impartial juror in this case?
30. The witnesses in this case may include law enforcement witnesses. Would you be more likely to believe a witness merely because he or she is a member of a law enforcement agency?
31. Would you be less likely to believe a witness merely because he or she is a member of a law enforcement agency?
32. You may also hear testimony from expert witnesses. Have you had any experiences with experts, or do you have any general feelings about the use of experts, that would make it difficult for you to render a fair and impartial verdict?
33. Would you be unable to follow my instruction that the Government is not required to use any particular investigative technique to uncover evidence of or to prosecute a crime?
34. Some of the evidence that may be introduced in this case may come from searches performed by law enforcement officers. If any such evidence is presented to you, the searches were legal, and the evidence obtained from the searches is admissible in this case. Do you have strong feelings about searches conducted by law enforcement officers, or the use of evidence obtained from searches at trial, that might prevent you from being a fair and impartial juror in this case?
35. Some of the evidence in this trial may be presented in the form of recorded conversations and

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interactions including video recordings of the defendant's arrest, which is commonly referred to as body-worn camera video. Any such evidence that will be presented was lawfully obtained. Do you have any strong feelings about the use of such evidence that might make it difficult for you to be a fair and impartial juror in this case?

36. The following are legal principles that apply in every criminal case. Would you, for any reason, be unable to follow any of these legal principles?

- a. Mr. Aryeetey is presumed innocent.
- b. The Government has the burden of proof at trial.
- c. The Government must prove its case beyond a reasonable doubt.
- d. The jury's verdict must be unanimous.
- e. Mr. Aryeetey does not have to testify or present any defense, and the jury is not permitted to consider that fact in any way in deciding whether or not the Government has proved that he is guilty.
- f. A defendant's silence cannot be held against him or her.

37. The function of the jury is to decide questions of fact. However, when it comes to the law, you must listen to my instructions and accept the law as I explain it. Do you have any hesitation or unwillingness to apply the law as I explain it even if you disagree with the law or if it conflicts with what you think the law should be?

38. Are you unable to accept that the question of punishment is for me as the judge alone to decide and that the possible punishment must not enter into the deliberation of the jurors as to whether the defendant on trial here is guilty or not guilty?

39. Do you feel that even if the evidence established the defendant's guilt beyond a reasonable doubt, you might not be able to render a guilty verdict for reasons unrelated to the law and the



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evidence?

40. Do you feel that, if you find that the evidence does not establish the defendant's guilt beyond a reasonable doubt, you might not be able to render a not guilty verdict for reasons unrelated to the law and the evidence?
41. Do you have any reservations about discussing your opinions with other people?
42. Do you have any reservations about sitting in judgment of others?
43. Under your oath as a juror, you are not to be swayed by sympathy. You are to be guided solely by the evidence in this case, and the law as I will charge you. Are you unable to accept my instruction that you are not to be swayed by sympathy of any kind?
44. I may instruct you to absolutely avoid reading, watching, or listening to media reports concerning this case, including cover of the case in social media like Facebook, Twitter, and blogs, until the case is over. Will you be unable to follow that instruction?
45. Do you have any medical problems, particularly eyesight or hearing difficulties, which could affect your perception of the proceedings?
46. Are you taking any medication, or do you suffer from any medical condition, that would prevent you from sitting for prolonged periods or giving your full attention to all of the evidence?
47. Do you have any difficulty reading or understanding English?
48. The fundamental issue here is whether there is anything in your personal history or life experience that would prevent you from acting as a fair and impartial juror here. But only you know whether there is some other matter that I did not mention that I should have asked about. Is there anything that would affect your ability to render a fair and impartial verdict in this case or otherwise anything else you feel the parties should know about you?

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**Part 2: Individual Juror Questionnaire**

1. What is your city, town, or village of residence?
2. How long have you lived at that residence?
  - a. If less than ten years, where did you live before that?
3. How far did you go in school?
  - a. What have been your areas of study?
  - b. What if any degrees have you received?
4. What is your occupation?
  - a. Who is your employer and where do you work?
  - b. How long have you had that job?
  - c. What previous jobs have you had in the past five years?
  - d. If you are retired, what position did you hold before retirement?
5. Do you currently or have you ever served in the military?
6. Are you married?
  - a. If you are married, what is your spouse's educational background and current employer?
7. Are there other adults in your household?
  - a. If so, what do they do?
  - b. If they are retired, what did they do before retirement?
8. Do you have children?
  - a. If so, how old are they?
  - b. If they are adults, what do they do?
9. Are you a member of any organizations?

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- a. If so, which ones?
10. What publications—such as newspapers, magazines, or online news websites—do you regularly read?
11. What types of books do you enjoy reading?
12. What radio stations, podcasts, and television programs do you regularly tune in to?
13. What social media platforms do you regularly use?
14. What do you like to do in your spare time?
15. Have you previously served on the jury, whether in a civil or criminal trial, or as a grand juror?
- a. If so, how many times have you served as a juror and what was the nature of your jury service?
  - b. For each time you have served as a juror on a trial:
    - i. Was the case a criminal or civil?
    - ii. Did the jury reach a verdict? (Please do not tell me what the verdict was.)

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***United States v. Ivanjoel Aryeetey***

**23 Cr. 561 (JPC)**

**Exhibit A**

**People**

1. *To be provided by the Government.*

**Locations**

1. *To be provided by the Government.*